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TAGS: [PGOV](#) [PHUM](#) [KISL](#) [SG](#)  
SUBJECT: SENEGAL: THREATS AGAINST FREEDOM OF EXPRESSION

REF: A) DAKAR 2122

SUMMARY  
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1. (SBU) Recently four journalists, Moussa Gueye, Moussa Doucar (REF A), Pape Amadou Gaye, and Elhadj Malick Seck were all arrested and later ordered released by President Abdoulaye Wade in the face of serious pressure from the union of journalists and public opinion. Gaye, editor-in-chief of "Le Courrier du Jour," was arrested for publishing an article inviting the army to take a position on Senegal's socio-economic situation. Elhadj Malick Seck was arrested for posting on his website, [rewmi.com](#), a newspaper article criticizing Wade for having used state funds to buy a new limousine from China while many Senegalese cannot make ends meet. While avoiding a confrontation with the media, the move rekindled a debate on an article in Senegal's Criminal Code that allows the state to detain journalists for offense deemed to be "propaganda against state security." END SUMMARY.

ARMY AND POLITICS  
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2. (SBU) Senegal's determinedly apolitical armed forces were for the first time ever allowed to vote in February 2007, highlighting an underlying fear amongst the country's political leaders that the military could be tempted to interfere in politics if the right context presents itself. This fear is based on the prevalent notion that the Senegalese people would support a military takeover if politicians fail to make democratic institutions work. So when Amadou Gaye echoed that notion in his attempt to prompt the GOS to do something about the high cost of living, he was promptly charged with conducting "activities likely to cause military disobedience," and "undermine state security." If convicted of these charges he could have been sentenced from five to ten years in jail. Although Gaye's case was in the hands of an examining judge, President Wade ordered him released for purely political reasons (after, arguably, having had him arrested for purely political reasons).

INTERNET AND STATE SECURITY  
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3. (SBU) One of the brightest areas of development in Senegal's democracy has been the use of Internet to disseminate news, post videos, and to air dissenting opinions. Two of the country's most popular websites are [Rewmi](#) and [Seneweb](#). When [Rewmi.com](#) reproduced an article about Wade's purchasing a new limousine the webmaster, Elhadj Malick Seck, was arrested as the GOS claimed to be concerned about comments from some bloggers who not only insulted Wade but also incited people to burn the SUVs that he has bought for the country's parliamentarians. Some bloggers, even demanded that Wade face charges of "high treason" for mismanaging public resources in times of economic hardship.

SELF-CENSORSHIP  
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14. (SBU) Article 70 of Senegal's Criminal Code prevents the mentioning of the Army when critiquing the government. It stipulates that anybody who in peacetime demoralizes the army with the goal of "inciting it to disobey the Head of State, Chief of Armed forces" will be punished by a sentence ranging from five to ten years. Article 248 of the same Code targets "crimes committed through all means of broadcasting and dissemination of news." Furthermore, Article 139 stipulates that a prosecutor can demand and obtain the immediate detention of any journalist charged on the basis of the above-mentioned articles. Such laws have resulted in journalists practicing self-censorship as they are well aware that the Minister of Justice can instruct a prosecutor to detain them at anytime. In the past two years, the GOS and the media have held several talks regarding the elimination of the aforementioned laws. The GOS has proposed eliminating prison sentences to replace them with fines, but media leaders fear that the State will bankrupt them through the abuse of fines. They thus prefer to go to jail with the hope that peer pressure and public opinion will force the government to set them free.

COMMENT

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15. (SBU) As in any democratic and free country, the media in Senegal are both a source of information and a battle ground for political leaders. The opposition and the ruling party fight through the media while factions within the ruling party use the press to undermine each other. Wade has promoted the creation of more newspapers to counterbalance criticism he receives in the press, but increasingly even the pro-government media are criticizing him from time to time. Moreover, the Internet sites Rewmi and Seneweb have created a real-time public forum for ordinary Senegalese to express their dissatisfaction with the Wade

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administration's governance.  
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